

IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

1-30. (Canceled).

31. (New) A base station apparatus comprising:

a deciding section that, when data is transmitted to a terminal, decides whether to transmit the data using a frequency assigned to the terminal in advance, or assign a new frequency;

a frequency scheduling section that, when the deciding section decides to assign the new frequency, assigns the new frequency; and

a transmission section that, when the deciding section decides to assign the new frequency, transmits information representing the new frequency assigned by the scheduling section and transmits the data to the terminal using the new frequency assigned, and that, when the deciding section decides not to assign the new frequency, transmits the data to the terminal using the frequency assigned to the terminal in advance,

32. (New) A terminal comprising:

a determining section that determines whether the terminal is assigned a new frequency by a base station apparatus using control information that is received; and

a receiving section that receives the control information, receives data using a frequency represented by information that is included in the control information and related to the new

frequency assigned when a determination result is positive, and receives the data using a frequency that is assigned to the terminal in advance when the determination result is negative.

33. (New) A transmission method comprising:

when data is transmitted to a terminal, deciding whether to transmit the data using a frequency assigned to the terminal in advance, or assign a new frequency;

when the new frequency is decided to be assigned, assigning the new frequency, transmitting information representing the new frequency assigned, and transmitting the data to the terminal using the new frequency assigned; and

when the new frequency is decided not to be assigned, transmitting the data to the terminal using a frequency assigned to the terminal in advance.

34. (New) A receiving method comprising:

receiving control information;

determining whether a terminal is assigned a new frequency by a base station apparatus using the control information that is received; and

when a determination result is positive, receiving data using a frequency represented by information that is included in the control information and related to the new frequency assigned; and

when the determination result is negative, receiving the data using a frequency that is assigned to the terminal in advance.